

DWW

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Akifumi KAMIJIMA

Group Art Unit: 1756

Application No.: 10/617,169

Examiner: Luan Van

Filed: July 11, 2003

Docket No.: 116576

For: PATTERNED THIN FILM AND METHOD OF FORMING SAME

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the August 26, 2005 oral Restriction Requirement, Applicant provisionally elects Group II, claims 3 and 4, with traverse.

It is also respectfully submitted that the subject matter of all claims 1-4 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

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JAO:YSC/mdw

Date: August 30, 2005

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